

Update: Crime Victim Rights Manual (Revised Edition)

CHAPTER 2

The Legal Bases for Crime Victim Rights in Michigan

2.8 Assessments and Funding

A. Assessments of Convicted and Adjudicated Offenders

Effective January 1, 2006, 2005 PA 315 amended MCL 780.905(1). On page 25, replace the first sentence of this subsection with the following:

The court must order a “crime victim’s rights fund assessment” against “each person charged with an offense that is a felony, a serious misdemeanor, or a specified misdemeanor, that is resolved by conviction, by assignment of the defendant to youthful trainee status, by a delayed sentence or deferred entry of judgment of guilt, or in another way that is not an acquittal or unconditional dismissal” as follows:

CHAPTER 10

Restitution

10.19 Payment of Restitution When Defendant or Juvenile Is Sentenced to Jail or the Department of Corrections or Placed in a Juvenile Facility

B. Payment of Restitution When Defendant Is Sentenced to the Department of Corrections

At the end of the January 2006 update to page 340, add the following information:

Effective January 1, 2006, 2005 PA 316 added MCL 769.1k, which allows a court to impose and collect fines, costs, assessments, and fees. Also effective January 1, 2006, 2005 PA 325 added MCL 769.1l, which requires the Department of Corrections to deduct money from a prisoner's account to pay such fines, costs, assessments, and fees in the same manner as money is deducted to pay restitution. However, orders of restitution pursuant to MCL 791.220h or the Crime Victim's Rights Act are to receive priority over the orders described in MCL 769.1l. MCL 769.1l.